

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of New Mexico

United States of America

v.

Daniela COTA-GUITIMEA

Defendant(s)

Case No.

19 MJ 1032

FILED

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

APR 17 2019

MITCHELL R. ELFERS
CLERK

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 4/16/2019 in the county of Bernalillo in the
District of New Mexico, the defendant(s) violated:

Code Section

21 USC 841 (a)(1), (b)(1)(A)

Offense Description

Possession of 400 grams and more of a
mixture and substance containing a
detectable amount of fentanyl

This criminal complaint is based on these facts:

*** SEE ATTACHED AFFIDAVIT ***

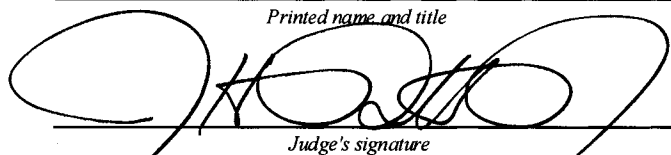
☐ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: 4/17/2019City and state: Albuquerque, New Mexico
Complainant's signature

S/A Jarrell W. Perry, Special Agent

Printed name and title


Judge's signature

Jerry A. Ritter, US Magistrate Judge

Printed name and title

AFFIDAVIT

On April 16, 2019, Drug Enforcement Administration (DEA) Special Agent (S/A) Jarrell W. Perry and Albuquerque Police Department Detective James Montoya were at the Amtrak Train Station in Albuquerque, New Mexico to check the eastbound Amtrak Train that makes a regularly scheduled stop in Albuquerque, New Mexico.

S/A Perry boarded the coach section of the Amtrak Train and began speaking with various passengers. S/A Perry approached a female, later identified as Daniela COTA-GUITIMEA, who was seated in her respective seat. S/A Perry displayed his DEA badge to COTA-GUITIMEA, identified himself as a police officer to COTA-GUITIMEA, asked for and received permission to speak with COTA-GUITIMEA. After a short conversation about her travel, S/A Perry asked COTA-GUITIMEA if she had any luggage with her. COTA-GUITIMEA stated she had two checked in forms of luggage, a cardboard box and a bag. COTA-GUITIMEA had two checked luggage tags attached to her Amtrak Train ticket folder. S/A Perry asked for and received permission from COTA-GUITIMEA to search her checked in luggage for contraband.

A consensual search of COTA-GUITIMEA's rolling style duffel bag revealed a false compartment built into the bottom that contained numerous clear plastic wrapped bundles. S/A Perry immediately knew from his training and experience that the clear plastic wrapped bundles concealed inside of the false compartment were consistent with other bundles that contained illegal narcotics.

COTA-GUITIMEA was handcuffed, thus placing her under arrest. COTA-GUITIMEA was removed from the Amtrak Train and transported to the DEA Albuquerque District Office (ADO), along with her personal property.

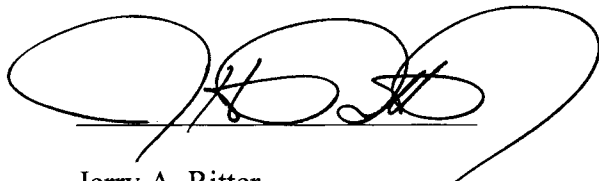
At the DEA ADO, S/A Perry removed a total of eight clear plastic, heat-sealed bundles from the false compartment in the bottom of COTA-GUITIMEA's duffel bag. S/A Perry and Perry weighed the bundles, for a total weight of approximately 8.10 gross kilograms

(18.144 gross pounds). DEA S/A Joshua Belida conducted a field-test of the white colored powdery substance from two of the bundles, which revealed a positive reaction for the presence of fentanyl "N-phenyl-N- [1-(2-phenylethyl) -4-piperidinyl] propanamide."

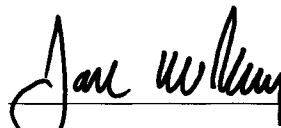
S/A Perry knew that based upon his training and experience that this amount is an amount that is consistent with distribution rather than personal use.

At the DEA ADO, DEA Task Force Officer (TFO) Clarence Davis, in the presence of Reydesel Zamarron, read COTA-GUITIMEA her Miranda rights. COTA-GUITIMEA said that she understood her Miranda rights and did agree to answer questions. COTA-GUITIMEA said that she knew that she was transporting bundles of drugs, but did not know how much or what type. COTA-GUITIMEA said that she packaged the various bundles in the clear plastic heat-sealed bundles and placed them into her duffel bag and was to be paid \$2,500.00 for transporting and delivering the bundle of drugs from Los Angeles, California to Chicago, Illinois.

This affidavit is submitted for the limited purpose of providing probable cause to support the attached criminal complaint.



Jerry A. Ritter
United States Magistrate Judge



Jarrell W. Perry
Special Agent
Drug Enforcement Administration